

REMARKS/ARGUMENTS

In the comments below, for Examiner's convenience, paragraphs are numbered to correspond with Examiner's numbered paragraphs in the last Office Action.

Applicant respectfully traverses Examiner's conclusion that the combination of Wilz and Tsutsumoto is obvious.

3. Regarding claim 14, Examiner is referred to paragraph 2141 and 2143.01 of the MPEP. In these paragraphs, it is made clear that the prior art must suggest the desirability of combining the references in the manner suggested by Examiner. Applicant respectfully submits that there is no such desirability suggested by the references.

In the present case, Wilz is concerned with a device for enabling a user to interact with barcodes using a handheld (or worn) device that has a display screen and a barcode scanner. The function of the device is to enable internet surfing via the barcodes.

In contrast, Tsutsumoto is concerned with a device that scans a barcode then disables it by applying some form of obscuring substance. This is applied in a production line environment to prevent multiple scans of the same object.

There is clearly no motivation to modify Wilz with reference to Tsutsumoto, or vice versa. To do so would be to add a mechanism to Wilz's reader that disables each barcode as it is read. Not only is there no motivation to provide such functionality to Wilz, it is completely contrary to the overall teaching of Wilz as an internet surfing device. Examiner suggests that the motivation lies in wanting to "indicate the status of an article as implied from Tsutsumoto". However, unlike Tsutsumoto, Wilz is not concerned with articles and production lines, nor with managing the "status" of such articles. There is nothing in Wilz to suggest any desirability in cancelling each barcode as it is read, which is the effective functionality of Wilz if it were to be modified by Tsutsumoto. Indeed, all of the embodiments disclosed in Wilz would detrimentally be affected by disablement of the barcode upon reading.

For these reasons, it is submitted that the combination of Wilz and Tsutsumoto is neither taught nor suggested by either document, and that adding the features of Tsutsumoto to Wilz would provide a device that destroys the fitness of Wilz to perform its intended function. Withdrawal of the objection to claim 1 on the basis of this combination is therefore respectfully requested.

4. Regarding claim 16, Applicant disagrees with Examiner's understanding of the operation of Tsutsumoto. Examiner suggests that Tsutsumoto discloses printed data that corresponds with "the data". However, the claim requires not merely that printed data correspond with the "the data"; it requires that the printed data correspond with "the display data or the visual information". Firstly, there is no disclosure of anything other than barcodes in Tsutsumoto, so the visual information option is not relevant. Secondly, there is no display data (as defined in the present claims) disclosed in Tsutsumoto, so there cannot logically be disclosure of printed data that corresponds (partly or otherwise) with such display data.

Even if one were to conclude that printing of such data is somehow implied (and this is strenuously denied), Examiner's stated motivation for this combination is not supported by the documents. How does printing data that "corresponds... with" display data or visual information as defined enable one to "check the status of an item" as proposed by Examiner?

It is submitted that the functionality referred to at the top of page 4 is speculation by Examiner, and in any event does not make logical sense. The system proposed by Examiner here involves multiple scanners (the operation of multiple devices is disclosed in neither Tsutsumoto nor Wilz), which determine a status of an item. The status is then sent to a computer system, which then advises the scanner whether or not to stamp. With respect, why would a scanner, having discovered that the barcode is disabled (ie, already stamped), send off a request to a remote computer system to determine whether it should be disabled (ie, by stamping), as proposed by the Examiner?

It should also be noted that Examiner does not explain how the provision of printed data that corresponds with visual data or the display data has anything to do with the system he describes. In what way would printing such data enable the functionality that Examiner proposes?

Examiner also seems to be assuming a high level of functionality of the stamping device based on a relatively low level of disclosure. Examiner is reminded that Tsutsumoto merely discloses a system that marks a used barcode to prevent it being read again accidentally. To extend this system in the way Examiner proposes moves beyond even hindsight reconstruction into the realms of unsupported speculation.

For these reasons, Examiner is respectfully requested to withdraw the rejection of claim 16.

5. Regarding claim 17, Examiner suggests that Fig. 3 of Wilz discloses "visual information representing an electronic document corresponding to a human discernable interface on the substrate". Applicant traverses this conclusion.

Claim 14 (upon which claim 17 is dependent) defines that the visual information is output to the display based on the received display data. There is no disclosure of any correspondence between information on the substrate in Wilz and what is displayed on the display in Fig. 3. Indeed, Examiner will note that the display in Fig. 3 is blank and the description does not provide the disclosure suggested.

For these reasons, it is respectfully submitted that claim 17 is allowable.

6. Regarding claim 23, Applicant respectfully disagrees with Examiner's conclusion. There is no disclosure that what is printed on the page in Fig. 3 of Wilz has any basis at all on an electronic document that is used to generate the visual data that is displayed on the display. Again, Fig. 3 does not show any specific display data, so it is certainly not in any way indicative of the disclosure of display data as claimed in claim 23. Examiner is respectfully requested to either point out the specific points in the specification where this relationship is disclosed or withdraw the rejection of claim 23.

Similar comments apply to claim 25.

7. Regarding claim 24, Figs 3 and 4 of Wilz are of different embodiments. Neither embodiment discloses that what is displayed on the display replicates some of the human discernable interface on the substrate. Indeed, as mentioned above, Fig. 3 fails to disclose the display of any specific information on the display. Examiner is again requested either to point out where the specifically claimed features are disclosed in the specification or to withdraw the rejection of claim 24.

8. Regarding claim 15, Applicant's comments in relation to claim 14 apply.

10. Examiner has proposed that it would have been obvious to combine Goodwin with Wilz and Tsutsumoto to anticipate claim 18. Applicant respectfully disagrees.

Goodwin discloses a programmable labelling machine designed to print out labels. Examiner has proposed that it would be obvious to take the programmability of Goodwin and add it to the combination of Wilz and Tsutsumoto to anticipate claim 18. Examiner further contends that the motivation for doing this is "for better user control and entering what one may want to label".

Applicant has a number of difficulties with this conclusion. First, the motivation provided by Examiner is not relevant to the proposed combination of features. The combination of features proposed by Examiner is the scanning capability of Wilz with the printing capability of Tsutsumoto. The modification provided by Goodwin must therefore be directed at the printing mechanism disclosed in Tsutsumoto. However, Tsutsumoto discloses printing only for the purposes of effectively cancelling a barcode after it has been read once. Even if one were to combine Wilz and Tsutsumoto, the result would be a handheld barcode scanner configured to cancel a barcode once it has been read. There is no motivation in any of the cited documents to add to this further functionality to the combination proposed by Examiner. In particular, there is no motivation disclosed in any of the documents for modifying the "cancelling" functionality of Tsutsumoto. In the absence of any such motivation, it is submitted that the rejection of claim 18 is improper and should be withdrawn.

11. Wilz discloses a touch-sensitive screen. However, claim 19 is dependent upon claim 18, which defines that the interface (which the touch-sensitive screen implements) is operable to cause the printer mechanism to print markings on the substrate. There is no disclosure of such functionality in Wilz. Indeed, there is no explanation at all of the functionality of the touch screen in Wilz.

For these reasons, it is submitted that claim 19 is allowable.

12. Claim 20 has been amended to improve the patentable weight of the language it uses. It is submitted that there is no disclosure in any of the cited documents of an arrangement in which a substrate is printed onto while a touch sensitive screen is being interacted with.

There is no disclosure of such a feature in any of the cited documents, nor any motivation for implementing such a feature. Accordingly, it is submitted that claim 20 is allowable over the cited art.

13. The comments above in relation to claim 18 apply to claim 21.

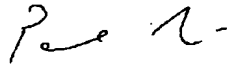
14. Regarding claim 22, Applicant respectfully disagrees with Examiner's conclusion relating to the disclosure of Tsutsumoto. There is no disclosure in Tsutsumoto of any user input at all. There is certainly no disclosure of user input that causes further computer data to be downloaded and then output via the printing mechanism. Tsutsumoto is concerned solely with invalidating a barcode after it is read, and does not rely on downloading of information to achieve this.

Moreover, Examiner's stated motivation for adding this feature is "to provide a means for showing the status of an article". Applicant submits that Tsutsumoto already provides a means for showing the status of an article. There is nothing in Tsutsumoto to suggest the need, let alone the desirability, of downloading computer data for printing. In the absence of such disclosure, it is submitted that there is no support for Examiner's proposal as to the obviousness of this motivation, and so it is submitted that claim 22 is allowable.

Further consideration of the present application is respectfully requested.

Very respectfully,

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